

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION

CRIMINAL NO. 2:08CR36

UNITED STATES OF AMERICA)
)
)
)
VS.) ORDER
)
)
DANIEL LEE REED)
)

THIS MATTER is before the Court on the Defendant's motion for severance and the Government's response in support of the motion. **See Defendant's Motion for Severance, filed March 2, 2009; Government's Response to Defendant's Motion to Sever, filed March 13, 2009.**

The Government agrees with the Defendant that there would be *Bruton*¹ issues if a trial were held involving both Defendants Reed and Bigwitch. **Government's Response, at 4.** However, a ruling on the severance motion is unnecessary in view of the guilty plea entered by the Defendant Bigwitch before the Magistrate Judge this date. **See Rule 11 Inquiry and Order of Acceptance of Plea (as to Danielle Bigwitch),**

¹ *Bruton v. United States*, 391 U.S. 123 (1968).

filed March 17, 2009, at 3 (pled guilty to second degree murder, a lesser included offense charged in Count One of the indictment).

IT IS, THEREFORE, ORDERED that the Defendant's motion for severance is hereby **DENIED** as moot.

Signed: March 17, 2009



Lacy H. Thornburg
United States District Judge

